

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
SAN ANTONIO DIVISION**

LESLIE NICOLE KNIGHT,
INDIVIDUALLY AND ON BEHALF OF
OTHERS SIMILARLY SITUATED; AND
ALVEZA VALENZUELA,
INDIVIDUALLY AND ON BEHALF OF
OTHERS SIMILARLY SITUATED;
Plaintiffs

Case No. SA-24-CV-01097-XR

vs.

THOMAS JENEBY, THE PLASTIC AND
COSMETIC CENTER OF SOUTH
TEXAS, P.A., PALM TREE PLASTIC
SURGI-CENTER, LLC, TRILOGY BY
DR. JENEBY, INC., ADVANCED
MEDICAL SUPPORT SERVICES, PLLC,
CHRYSLIS COSMETIC SURGERY
CENTER, PLLC, SOUTH TEXAS
AESTHETIC TRAINING LLC, SHINING
PALM TREE SERIES, LLC,
Defendants

PHASE 1 SCHEDULING ORDER

This is a Fair Labor Standards Act (“FLSA”) case. The parties have agreed to engage in discovery related to the existence of similarly situated workers who should receive notice of this action so that they can choose to proceed collectively in this case. ECF Nos. 14 at 2; 15. The Court adopts this proposal. *See Swales v. KLLM Transp. Services, L.L.C.*, 985 F.3d 430, 441 (5th Cir. 2021).

Accordingly, discovery in this case will proceed in two phases. The first phase (“Phase 1”) will consist of issues related to resolving whether other individuals are “similarly situated” to Plaintiffs, and therefore, entitled to receive notice of their right to join this action pursuant to Section 216(b) of the FLSA.

Phase 1 of this case will be controlled by the below deadlines. If a deadline set in this order falls on a weekend or a holiday, the effective day will be the next business day.

The deadline for completion of Phase 1 discovery is **April 22, 2025**.

The deadline for Plaintiffs to file a Motion for Notice is **May 22, 2025**. Defendants' Response to Plaintiffs' Motion for Notice is due **21 DAYS** after the date of Plaintiffs' Motion for Notice, and Plaintiffs' Reply is due **7 DAYS** after the date of Defendants' Response.

Phase Two shall begin on the date the Court sets for the close of the opt-in period. If the Court denies Plaintiffs' request for authorization to issue notice, Phase Two will begin on the date the Court issues its denial.

No later than **FIFTEEN DAYS** after Phase Two begins, the parties shall submit a joint proposed scheduling order for Phase Two.

It is so **ORDERED**.

SIGNED this January 22, 2025



XAVIER RODRIGUEZ
UNITED STATES DISTRICT JUDGE